

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN ELMS,

Plaintiff,

v.

WEST CHESTER BOROUGH,

Defendant.

Case No. 2:21-cv-00279-JDW

ORDER

AND NOW, this 28th day of October, 2021, upon consideration of Defendant West Chester Borough's Motion For Summary Judgment Pursuant to F.R.C.P. 56 (ECF No. 12), for the reasons stated in the accompanying Memorandum, it is **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART**. Summary judgment is **GRANTED** for all claims of disparate treatment in Count I of the Complaint and as to Count II of the Complaint (retaliation) in its entirety. The Motion is **DENIED** as to claims of hostile work environment under Count I of the Complaint.

BY THE COURT

/s/ Joshua D. Wolson

HON. JOSHUA D. WOLSON
United States District Judge